

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on February 9, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: None.

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 426, HB 492, 2/8/1999

Executive Action: HB 226-Tabled; HB 407-Do Pass
as amended

HEARING ON HB 426

Sponsor:

Rep. Jore presented HB 426.

{Tape : 1; Side : A; Approx. Time Counter : 52 - 208}

EXHIBIT(juh32a0

1)

EXHIBIT(juh32a0

2)

Proponents:

Sandra Shook, All Citizen's Equal

{Tape : 1; Side : A; Approx. Time Counter : 208 - 290}

EXHIBIT(juh32a0

3)

Del Palmer, All Citizen's Equal

{Tape : 1; Side : A; Approx. Time Counter : 290 - 346}

Dave Chapel, self

{Tape : 1; Side : A; Approx. Time Counter : 346 - 368}

EXHIBIT(juh32a0

4)

Skip Palmer, self

{Tape : 1; Side : A; Approx. Time Counter : 368 - 426}

Opponents:

Mike Pablo, Montana Tribal Leaders Council

{Tape : 1; Side : A; Approx. Time Counter : 426 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 48}

EXHIBIT(juh32a0

5)

EXHIBIT(juh32a0

6)

EXHIBIT(juh32a0

7)

Beth Baker, Montana Dept. of Justice

{Tape : 1; Side : B; Approx. Time Counter : 48 - 122}

EXHIBIT(juh32a0

8)

Mary Bryson, Montana Dept. of Revenue

{Tape : 1; Side : B; Approx. Time Counter : 122 - 149}

Christine Kaufman, Human Rights Network

{Tape : 1; Side : B; Approx. Time Counter : 149 - 167}

Sharon Hoff, Montana Catholic Conference

{Tape : 1; Side : B; Approx. Time Counter : 167 - 176}

Bob Lane, Montana Fish Wildlife & Parks

{Tape : 1; Side : B; Approx. Time Counter : 176 - 229}

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 229 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 127}

Closing by Sponsor:

Rep. Jore made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 127 - 326}

EXHIBIT (juh32a0

9)

HEARING ON HB 492

Sponsor:

Rep. Harper presented HB 492.

{Tape : 2; Side : A; Approx. Time Counter : 326 - 412}

Proponents:

Emil Eschenberrg, Brigadier General; USAF

{Tape : 2; Side : A; Approx. Time Counter : 412 - 496}

Hal Harrison, American Legion

{Tape : 2; Side : A; Approx. Time Counter : 496 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 8}

Mark Radcliffe, 1st special Services Forces

{Tape : 2; Side : B; Approx. Time Counter : 8 - 48}

Leo Johnson, Vietnam Vet/American Legion

{Tape : 2; Side : B; Approx. Time Counter : 48 - 54}

Herb Balou, Purple Heart Group

{Tape : 2; Side : B; Approx. Time Counter : 54 - 89}

Kristine Kaufman, Montana Human Rights Network

{Tape : 2; Side : B; Approx. Time Counter : 89 - 109}

Mike Hankins, Vietnam/Korean War

{Tape : 2; Side : B; Approx. Time Counter : 109 - 139}

Rob Pirfi, VFW/DAV

{Tape : 2; Side : B; Approx. Time Counter : 139 - 153}

Richard Dix, Vietnam Vet

{Tape : 2; Side : B; Approx. Time Counter : 153 - 170}

Royal Ball, 163rd Infantry

{Tape : 2; Side : B; Approx. Time Counter : 170 - 188}

Mike McCabe, Montana Army Military Affairs

{Tape : 2; Side : B; Approx. Time Counter : 188 - 201}

Colleen McCarthy, Mayor; City of Helena

{Tape : 2; Side : B; Approx. Time Counter : 201 - 266}

EXHIBIT (juh32a1

0)

Joe Goldes, retired

{Tape : 2; Side : B; Approx. Time Counter : 266 - 290}

Tom Ryan, Community Advisory Council

{Tape : 2; Side : B; Approx. Time Counter : 290 - 332}

Rep. P. Clark, Representative

{Tape : 2; Side : B; Approx. Time Counter : 332 - 350}

John Sloan, DAV

{Tape : 2; Side : B; Approx. Time Counter : 350 - 369}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 369 - 550}

{Tape : 3; Side : A; Approx. Time Counter : 0 - 139}

Closing by Sponsor:

Rep. Harper made closing statements.

{Tape : 3; Side : A; Approx. Time Counter : 139 - 163}

EXHIBIT (juh32a1

1)

EXECUTIVE ACTION ON HB 227

Motion: REP. MOLNAR moved that HB 227 DO PASS.

Motion/Vote: REP. ANDERSON moved that HB 227 BE TABLED. Motion carried 18-2 with McGee and Molnar voting no.

{Tape : 3; Side : A; Approx. Time Counter : 163 - 300}

EXECUTIVE ACTION ON HB 407

Motion: REP. YOUNKIN moved that HB 407 DO PASS.

Motion: REP. YOUNKIN moved that HB 407 BE AMENDED.

Discussion: Much discussion was had with committee members.

{Tape : 3; Side : A; Approx. Time Counter : 300 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 254}

AMENDMENT PASSED; 17/3 with REP. HURDLE, AHNER AND WILLIAMS voting no.

Motion: REP. YOUNKIN moved that HB 407 DO PASS AS AMENDED.

EXHIBIT(juh32a1

2)

Motion/Vote: REP. WYATT moved that HB 407 BE AMENDED. Motion carried unanimously.

Motion/Vote: REP. YOUNKIN moved that HB 407 DO PASS AS AMENDED.

Motion carried unanimously.

EXECUTIVE ACTION ON HB 54

Motion/Vote: REP. GALLUS moved HB 54 BE RECONSIDERED. Motion failed 9-10.

(Rep. Kitzenberg absent during voting).

Meeting adjourned.

ADJOURNMENT

Adjournment: 11:53 A.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh32aad)